

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of</p> <p>Kevin P. Baker et al.</p> <p>Serial No.: Not Yet Assigned</p> <p>Filed: Herewith</p> <p>For: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME</p>	<p>Group Art Unit: Not Yet Assigned</p> <p>Examiner: Not Yet Assigned</p> <hr/> <p>Express Mail Label No.: EV 016 017 202 US</p> <p>December 6, 2001</p>
---	--

PRELIMINARY AMENDMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In the Specification:

Please insert the following new paragraph at page 1, line 2:

--RELATED APPLICATIONS

This is a continuation application claiming priority under 35 USC §120 to US serial number 09/946,374 filed 9/4/01 which claims priority under 35 USC §120 to US serial numbers: 09/218517, filed 12/22/98, now abandoned; 09/284291, filed 4/12/99, now abandoned; 09/403297, filed 10/18/99, now abandoned; 09/872035, filed 6/1/01; 09/882636, filed 6/14/01; and which claims priority under 35 USC §120 to PCT international application numbers: PCT/US99/00106, filed 1/5/99, now abandoned; PCT/US99/20111, filed 9/1/99; PCT/US99/21194, filed 9/15/99; PCT/US99/28313, filed 11/30/99; PCT/US99/28551, filed 12/2/99; PCT/US99/30095, filed 12/16/99; PCT/US00/00219, filed 1/5/00; PCT/US00/00376, filed 1/6/00; PCT/US00/03565, filed 2/11/00; PCT/US00/04342, filed 2/18/00, now abandoned; PCT/US00/05004, filed 2/24/00; PCT/US00/05841, filed 3/2/00; PCT/US00/06884, filed 3/15/00; PCT/US00/13705, filed 5/17/00;

PCT/US00/14042, filed 5/22/00; PCT/US00/14941, filed 5/30/00; PCT/US00/15264, filed 6/2/00, now abandoned; PCT/US00/23328, filed 8/24/00; PCT/US00/23522, filed 8/23/00; PCT/US00/30873, filed 11/10/00; PCT/US00/30952, filed 11/8/00; PCT/US00/32678, filed 12/1/00; PCT/US01/06520, filed 2/28/01; PCT/US01/06666, filed 3/1/01; PCT/US01/17800, filed 6/1/01; PCT/US01/19692, filed 6/20/01; PCT/US01/21066, filed 6/29/01; PCT/US01/21735, filed 7/9/01; and which claims priority under 35 USC § 119 to US provisional application numbers: 60/098716, filed 9/1/98; 60/098723, filed 9/1/98; 60/098749, filed 9/1/98; 60/098750, filed 9/1/98; 60/098803, filed 9/2/98; 60/098821, filed 9/2/98; 60/098843, filed 9/2/98; 60/099536, filed 9/9/98; 60/099596, filed 9/9/98; 60/099598, filed 9/9/98; 60/099602, filed 9/9/98; 60/099642, filed 9/9/98; 60/099741, filed 9/10/98; 60/099754, filed 9/10/98; 60/099763, filed 9/10/98; 60/099792, filed 9/10/98; 60/099808, filed 9/10/98; 60/099812, filed 9/10/98; 60/099815, filed 9/10/98; 60/099816, filed 9/10/98; 60/100385, filed 9/15/98; 60/100388, filed 9/15/98; 60/100390, filed 9/15/98; 60/100584, filed 9/16/98; 60/100627, filed 9/16/98; 60/100661, filed 9/16/98; 60/100662, filed 9/16/98; 60/100664, filed 9/16/98; 60/100683, filed 9/17/98; 60/100684, filed 9/17/98; 60/100710, filed 9/17/98; 60/100711, filed 9/17/98; 60/100848, filed 9/18/98; 60/100849, filed 9/18/98; 60/100919, filed 9/17/98; 60/100930, filed 9/17/98; 60/101014, filed 9/18/98; 60/101068, filed 9/18/98; 60/101071, filed 9/18/98; 60/101279, filed 9/22/98; 60/101471, filed 9/23/98; 60/101472, filed 9/23/98; 60/101474, filed 9/23/98; 60/101475, filed 9/23/98; 60/101476, filed 9/23/98; 60/101477, filed 9/23/98; 60/101479, filed 9/23/98; 60/101738, filed 9/24/98; 60/101741, filed 9/24/98; 60/101743, filed 9/24/98; 60/101915, filed 9/24/98; 60/101916, filed 9/24/98; 60/102207, filed 9/29/98; 60/102240, filed 9/29/98; 60/102307, filed 9/29/98; 60/102330, filed 9/29/98; 60/102331, filed 9/29/98; 60/102484, filed 9/30/98; 60/102487, filed 9/30/98; 60/102570, filed 9/30/98; 60/102571, filed 9/30/98; 60/102684, filed 10/1/98; 60/102687, filed 10/1/98; 60/102965, filed 10/2/98; 60/103258, filed 10/6/98; 60/103314, filed 10/7/98; 60/103315, filed 10/7/98; 60/103328, filed 10/7/98; 60/103395, filed 10/7/98; 60/103396, filed 10/7/98; 60/103401, filed 10/7/98; 60/103449, filed 10/6/98; 60/103633, filed 10/8/98; 60/103678, filed 10/8/98; 60/103679, filed 10/8/98; 60/103711, filed 10/8/98; 60/104257, filed 10/14/98; 60/104987, filed 10/20/98; 60/105000, filed 10/20/98; 60/105002, filed 10/20/98; 60/105104, filed 10/21/98; 60/105169, filed 10/22/98; 60/105266, filed 10/22/98; 60/105693, filed 10/26/98; 60/105694, filed 10/26/98; 60/105807, filed 10/27/98; 60/105881, filed 10/27/98; 60/105882, filed 10/27/98; 60/106023, filed 10/28/98; 60/106029, filed 10/28/98; 60/106030, filed 10/28/98; 60/106032, filed 10/28/98; 60/106033, filed 10/28/98; 60/106062, filed 10/27/98; 60/106178, filed 10/28/98; 60/106248, filed 10/29/98; 60/106384, filed 10/29/98; 60/108500, filed 10/29/98; 60/106464, filed 10/30/98;

60/106856, filed 11/3/98; 60/106902, filed 11/3/98; 60/106905, filed 11/3/98; 60/106919, filed 11/3/98; 60/106932, filed 11/3/98; 60/106934, filed 11/3/98; 60/107783, filed 11/10/98; 60/108775, filed 11/17/98; 60/108779, filed 11/17/98; 60/108787, filed 11/17/98; 60/108788, filed 11/17/98; 60/108801, filed 11/17/98; 60/108802, filed 11/17/98; 60/108806, filed 11/17/98; 60/108807, filed 11/17/98; 60/108848, filed 11/18/98; 60/108849, filed 11/18/98; 60/108850, filed 11/18/98; 60/108851, filed 11/18/98; 60/108852, filed 11/18/98; 60/108858, filed 11/18/98; 60/108867, filed 11/17/98; 60/108904, filed 11/18/98; 60/108925, filed 11/17/98; 60/113296, filed 12/22/98; 60/114223, filed 12/30/98; 60/129674, filed 4/16/99; 60/141037, filed 6/23/99; 60/144758, filed 7/20/99; 60/145698, filed 7/26/99; 60/162506, filed 10/29/99, the entire disclosures of which are hereby incorporated by reference.--

In the Claims:

Please cancel Claims 1-27 without prejudice or disclaimer.

Please add new Claims 28-40 as follows.

--28. (New) An isolated polypeptide having at least 80% amino acid sequence identity to:

- (a) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194);
- (b) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194),

lacking its associated signal peptide;

- (c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194);

- (d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide; or

- (e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203232.

29. (New) The isolated polypeptide of Claim 28 having at least 85% amino acid sequence identity to:

- (a) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194);
- (b) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194),

lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194);

(d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide; or

(e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203232.

30. (New) The isolated polypeptide of Claim 28 having at least 90% amino acid sequence identity to:

(a) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194);

(b) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194);

(d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide; or

(e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203232.

31. (New) The isolated polypeptide of Claim 28 having at least 95% amino acid sequence identity to:

(a) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194);

(b) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194);

(d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide; or

(e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203232.

32. (New) The isolated polypeptide of Claim 28 having at least 99% amino acid sequence identity to:

(a) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194);

(b) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194);

(d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide; or

(e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203232.

33. (New) An isolated polypeptide comprising:

(a) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194);

(b) the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194);

(d) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide; or

(e) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203232.

34. (New) The isolated polypeptide of Claim 33 comprising the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194).

35. (New) The isolated polypeptide of Claim 33 comprising the amino acid sequence of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide.

36. (New) The isolated polypeptide of Claim 33 comprising the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194).

37. (New) The isolated polypeptide of Claim 33 comprising the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 108 (SEQ ID NO:194), lacking its associated signal peptide.

38. (New) The isolated polypeptide of Claim 33 comprising the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203232.

39. (New) A chimeric polypeptide comprising a polypeptide according to Claim 28 fused to a heterologous polypeptide.

40. (New) The chimeric polypeptide of Claim 39, wherein said heterologous polypeptide is an epitope tag or an Fc region of an immunoglobulin.--

REMARKS

Claims 1-27 have been cancelled. New Claims 28-40 have been added. Applicants respectfully request early entry of these new claims for prosecution in this application. The Examiner is invited to contact the undersigned at (650)225-4563 if any issues may be resolved in that manner.

Attached hereto is a marked-up version of the changes made to the and by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,

GENENTECH, INC.

Date: December 6, 2001

By:

Elizabeth M. Barnes
Elizabeth M. Barnes

Reg. No. 35,059

Telephone: (650) 225-4563



09157

PATENT TRADEMARK OFFICE

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

A new paragraph beginning at page 1, line 2 has been added.

In the claims:

Claims 1-27 have been cancelled.

Claims 28-40 have been added.